

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEYANA LYNISE MARSHALL,

Defendant.

4:20CR3033

ORDER

Starting with her initial appearance on February 20, 2020, Defendant has consistently stated that she does not want court-appointed counsel, but she wants attorney representation. At the hearing today, she stated that she is hiring an attorney who will be formally retained when he returns from vacation on Monday, March 16, 2020.

Meanwhile, the government is not able to provide Rule 16 disclosures to, or communicate with, Defendant's counsel in preparation for trial.

Accordingly,

IT IS ORDERED:

- 1) The government's deadline for serving Rule 16 disclosures is extended to March 24, 2020.
- 2) If an attorney has not entered an appearance on behalf of Defendant by March 24, 2020, the Rule 16 disclosures shall be provided directly to the defendant.
- 3) The pretrial motion deadline is extended to April 24, 2020
- 4) Trial of this case is set to commence before the Honorable John M.

Gerrard, Chief United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at **9:00 a.m.** on **June 1, 2020**, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

- 5) In the interests of justice, the time between February 20, 2020 and March 24, 2020 is deemed excludable time in any computation of time under the requirements of the Speedy Trial Act because the parties' efforts to prepare for trial have been hindered by the lack of counsel for the defendant despite her repeated statements that counsel will be retained. As such, the parties need additional time to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 11th day of March, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge